

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO**

**IN RE:**

**Chapter 11**

**LAS UVAS VALLEY DAIRIES,  
dba LAS UVAS VALLEY DAIRY,  
Debtor.**

**Case No. 17-12356-J11**

**AMENDED MOTION OF DAVID & GUADALUPE RAMOS, D/B/A RAMOS FARMS  
FOR ALLOWANCE OF AN ADMINISTRATIVE EXPENSE  
CLAIM PURSUANT TO 11 U.S.C. § 503(b)(9)**

David and Guadalupe Ramos, d/b/a Ramos Farms (hereinafter referred to as “Ramos Farms”), by and through its undersigned attorney, hereby requests the entry of an order pursuant to 11 U.S.C. § 503(b)(9), allowing Ramos Farms an administrative expense claim in the amount of \$51,491.70. In support of its Motion, Ramos Farms states as follows:

**JURISDICTION**

1. On September 15, 2017 (the “Petition Date”), the above-named debtor filed its voluntary petition for relief under title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of New Mexico (the “Court”).
2. This Court has jurisdiction over this motion pursuant to 28 U.S.C. § 157 and 1334(b).  
  
This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (B). Venue is proper in this District pursuant to 28 U.S.C. § 1408 and 1409.

**BACKGROUND**

3. Ramos Farms regularly sold hay to Debtor, Las Uvas Valley Dairies d/b/a Las Uvas Valley Dairy, before the Petition Date.
4. In the 20 days preceding the Petition Date, Debtor received goods that Ramos Farms sold on credit to Debtor in the ordinary course of Debtor’s business. The alfalfa hay sold to

Debtor by Ramos Farms had an aggregate value of \$51,491.70 identified on the proofs of delivery attached hereto as Exhibit A.

5. As of the date of this Motion, Ramos Farms has not received payment for the Goods.

#### **RELIEF REQUESTED**

6. Ramos Farms respectfully requests that this Court allow Ramos Farms's administrative expense claim in the amount of \$51,491.70 for the Goods, pursuant to section 503(b)(9) of the Bankruptcy Code.

#### **BASIS FOR RELIEF**

7. Section 503(b)(9) of the Bankruptcy Code provides, in pertinent part, that:

After notice and a hearing, there shall be allowed, administrative expenses...[for] the value of any goods received by the debtor within 20 days before the date of commencement of a case under this title in which the goods have been sold to the debtor in the ordinary course of such debtor's business.

11 U.S.C. §503(B)(9).

8. As evidenced by the invoices and proofs of delivery hereto attached as Exhibit A, during the 20 days preceding the Petition Date, Debtor received from Ramos Farms the Goods valued in aggregate at \$57,491.70. Ramos Farms sold the Goods to Debtor on credit in the ordinary course of Debtor's business and Ramos Farms has not yet received payment for the Goods. Ramos Farms is accordingly entitled to an administrative expense claim against Debtor Law Uvas Valley Dairies in the aggregate amount of \$51,491.70.
9. Ramos Farms reserves its right to assert claims against the Debtor for amounts not contemplated by this Motion or allowed by the Court pursuant to 11 U.S.C. § 503(b)(9)

and to amend, modify, and/or supplement this request, as appropriate under the circumstances.

**WHEREFORE**, Ramos Farms respectfully requests that the Court enter an order substantially in the form attached hereto as Exhibit B: (i) allowing Ramos Farms's administrative expense claim in the amount of \$51,491.70 pursuant to section 503(b)(9) of the Bankruptcy Code and (ii) granting such other and further relief as may be just and proper under the circumstances.

/s/ R. "Trey" Arvizu, III  
R. "Trey" Arvizu, III  
Attorney for Ramos Farms  
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I CERTIFY that the foregoing was electronically filed with the Court via the CM/ECF system. All attorneys and parties identified with the Court for electronic service on the record in this case were served by electronic service in accordance with the CM/ECF system on this 7<sup>th</sup> day of November 2017.

Electronically submitted  
R. "Trey" Arvizu, III

# LAS UVAS VALLEY DAIRY

**PRODUCER**  
Ramos Farms

NON ASSOCIATION

DATE: 10/3/2017

## MOISTURE

INVOICE # 13-17

DATE	TKT #	NET WT.	BALES #	CUT	FEED TYPE	0-15	16-20	21-25	26-30	31+	RFV	Protein	Total Wt. Docks	Payable Wt.	SAMPLE NO.	Actual Price	AMOUNT
9/1/2017	17230	45200	33	5	#2 Alfalfa Hay	33	17	11	1	0			3424	41776	711	\$160.00	\$3,342.06
9/1/2017	17240	45300	33	5	#2 Alfalfa Hay	33	0	0	0	0			0	45300	713	\$160.00	\$3,624.00
9/4/2017	17298	38220	28	5	#2 Alfalfa Hay	28	20	5	2	0			2184	36036	717	\$160.00	\$2,882.88
9/4/2017	17312	47280	33	5	#2 Alfalfa Hay	33	20	11	1	0			3582	43698	723	\$160.00	\$3,495.85
9/5/2017	17331	45300	33	5	#1 Alfalfa Hay	33	0	0	0	0			0	45300	730	\$160.00	\$3,624.00
9/5/2017	17355	49600	35	5	#2 Alfalfa Hay	35	0	0	0	0			0	49600	734	\$160.00	\$3,968.00
9/7/2017	17500	47680	33	5	#2 Alfalfa Hay	33	0	0	0	0			0	47680	748	\$160.00	\$3,814.40
9/8/2017	17557	46000	32	5	#1 Alfalfa Hay	32	0	0	0	0			0	46000	752	\$160.00	\$3,680.00
9/9/2017	17680	47700	30	5	#1 Alfalfa Hay	30	12	2	0	0			596	44104	756	\$160.00	\$3,528.32
9/12/2017	17925	49120	36	6	#1 Alfalfa Hay	36	12	6	1	0			2047	47073	767	\$160.00	\$3,765.87
9/12/2017	17973	48860	36	6	#1 Alfalfa Hay	36	19	5	0	0			1357	47503	768	\$160.00	\$3,800.22
9/13/2017	18016	54400	39	6	#1 Alfalfa Hay	39	22	12	1	0			3759	50541	771	\$160.00	\$4,043.26
9/13/2017	18033	48020	36	6	#1 Alfalfa Hay	36	18	8	0	0			2170	46650	772	\$160.00	\$3,732.02
9/14/2017	18077	54920	39	6	#1 Alfalfa Hay	39	16	9	0	0			2535	52385	774	\$160.00	\$4,190.82

